

**IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT**

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No. 01-30185

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INDUSTRIAS MAGROMER CUEROS Y PIELES S.A.,                      Plaintiff-Appellee,

versus

LOUISIANA BAYOU FURS INC., ET AL.,                      Defendants,

LOUISIANA BAYOU FURS INC.,  
WILLIAM L. BERRY,                      Defendants-Appellants.

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Appeal from the United States District Court  
for the Eastern District of Louisiana

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October 23, 2002

**ON PETITION FOR PANEL REHEARING**

(Opinion June 24, 2002, 5<sup>th</sup> Cir., 2002, 2002 WL 1271001)

Before JONES, EMILIO M. GARZA, and STEWART, Circuit Judges.

PER CURIAM:

The Defendants-Appellants' (Louisiana Bayou Furs, Inc. ("Bayou Furs") and William L. Berry ("Berry")) Petition for Rehearing is DENIED. In denying rehearing, we clarify a statement in Part X of the opinion. In Part X, we stated that "the fact that we have granted judgment as a matter of law for Berry on the LUTPA claim does not affect the judgment or his liability for the damages." As the Defendants-Appellants point out, the statutory claim for attorneys' fees in this case was under

the Louisiana Unfair Trade Practices Act (“LUTPA”). Because we granted judgment as a matter of law in favor of Berry on the LUTPA claim, Berry is not liable to the Plaintiff-Appellee for attorneys’ fees. However, this does not affect Bayou Furs’s liability to the Defendants-Appellants or Berry’s liability for the damages awarded by the jury. In all other respects, the Petition for Panel Rehearing is DENIED.